

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

EDELMIRO G. SOLIS

Plaintiff,

v.

US BANK NATIONAL ASSOCIATION,
as Legal Trust Trustee for Truman 2016
SC6 Title Trust, et al.,

Defendants.

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No. 3:20-CV-1543-X


**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case. There were no objections. The District Court reviewed the proposed findings, conclusions, and recommendation for plain error. Finding none, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge. The Court therefore **GRANTS IN PART** the defendants' *Motion for Judgement on the Pleadings* [Doc. No. 5]. The Court **DISMISSES WITH PREJUDICE** the plaintiff's claims related to the Texas Property Code, the Real Estate Settlement Procedures Act, and violation of Texas Executive Order GA-23. The Court **DISMISSES WITHOUT PREJUDICE** the plaintiff's negligent misrepresentation claim. And the Court **DISMISSES WITHOUT PREJUDICE** the plaintiff's breach of contract claim. But to the extent the breach of contract claim relies on HUD regulations not expressly incorporated into the Deed of Trust, the Court **DISMISSES WITH PREJUDICE** that portion of

the breach of contract claim.

The plaintiff may file an amended complaint limited to his negligent misrepresentation and breach of contract claims, except to the extent the latter claim relies on HUD regulations not expressly incorporated into the Deed of Trust. If the plaintiff wishes to file an amended complaint, he must do so within 28 days of the entry of this order.

IT IS SO ORDERED this 16th day of March 2021.



BRANTLEY STARR
UNITED STATES DISTRICT JUDGE